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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,358	02/28/2002	Satoko Segawa	1359.1064	5584
21171	7590	07/09/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER DAGNEW, SABA	
			ART UNIT 3609	PAPER NUMBER
			MAIL DATE 07/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/084,358

Applicant(s)

SEGAWA ET AL.

Examiner

Saba Dagnew

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/28/2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

1. The drawings were received on February 28, 2002. These drawings are objected because Fig. 1 number 4 and Fig. 8 on "article goods linking part" are showing improper ". or period". Instead of period hyphen would be appropriate. Corrected drawings sheet in compliance with 37 CFR 1.121(d) are required in reply to this office action to avoid abandonment of this application.

Specification

2. The disclosure is objected to because of the following informalities: because page 3 on lines 1 and 22, page 6 on line 15 and page 9 on line 19 are contained ". or period". The disclosure appears to be a literal or direct translation from the Japanese text. Applicant should re-read the in order to place it in a more acceptable U.S. form.

Appropriate correction is required.

Claim Objections

3. Claims 1 and 2 are objected to because of the following informalities: ". or period". Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

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Claims 1 –18 are rejected because the preamble says system but has no structure in the body.

Claims 17 and 18 are rejected because “increases/decreases” not clearly defined, since it could be interpreted as “and” or “or”.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1-18 are rejected under 35 U.S.C. 101 as unpatentable subject matter. Each of the rejected “parts” may be interpreted as “software” and, accordingly, the claim recites merely a program per se. See MPEP 2106

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-4 and 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakamura (2001/0027416)

With respect to claims 1 and 2, Nakamura teaches a system comprising a goods information collecting system for collecting information on goods on a network (paragraph [0098]), comprising:

an article contributing part for receiving contribution of an article on the goods (paragraph [0021], lines 2-3);

an article recording and managing part for recording and managing the contributed article(Fig. 5);

an article goods linking part for associating the article with information on goods, and generating a link to the information on goods (paragraph [0023] and [0056]);

an article display part for displaying the article (Fig. 1, 105 and 102);

a log recording and managing part for recording and managing an operation history of users other than a contributor with respect to the displayed article (Fig. 5);

an influence degree calculating part for calculating an influence degree of the article on sales of the goods based on the operation history (paragraph [0035], lines 10-11); and

a point generating and managing part for generating and managing a point to be an incentive for purchasing goods for each contributor(paragraph [0019], lines 3-4), based on the influence degree,

wherein the point is generated based on the operation history of other

users with respect to the contributed article (paragraph [0019], lines 4-10).

With respect to claims 3 and 4, Nakamura teaches, in addition to the elements of claims 1 and 2 a system further comprising a contribution right providing part for providing a user with a contribution right (paragraph [0021]),

wherein the article contributing part receives contribution of an article only from the user provided with the contribution right (Fig. 3).

With respect to claims 17 and 18, Nakamura teaches in addition to the elements of claims 12 and 16, a system further comprising goods information collecting system, wherein the point generating and managing part increases/decreases the point in inverse proportion to a ratio of the number of accesses to information on the goods prior to contribution of an article on the goods, with respect to the desired number of accesses to the goods (paragraph [0021]).

With respect to claim 19, Nakamura teaches a method for collecting information on goods on a network (paragraph [0098]), comprising:

receiving contribution of an article on the goods (paragraph [0059], lines 1-2);

recording (Fig. 5) and managing the contributed article (paragraph [0019], lines 1-7);

associating the article with information on goods, and generating a link to the information on goods(paragraph [0098]);

displaying the article (paragraph [0037]);

recording and managing an operation history of other users with respect to the displayed article (paragraphs [0019] and [0034]);

calculating an influence degree of the article on sales of the goods based on the operation history (paragraph [0035], lines ; and

generating and managing a point to be an incentive for purchasing goods for each contributor, based on the influence degree (paragraphs [0017], and [0099], lines 12-14),

wherein the point is generated based on the operation history of other users with respect to the contributed article (paragraph [0085]).

With respect to claim 20, Nakamura teaches a computer-readable recording medium storing a program for implementing a method for collecting information on goods on a network (Paragraph [0034], lines 11-12), the program comprising:

receiving contribution of an article on the goods (paragraph [0059], lines 1-2);

recording and managing the contributed article(paragraph [0019], lines 1-7);

associating the article with information on goods, and generating a link to the information on goods(paragraph [0098]);

displaying the article (paragraph [0037]);

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recording and managing an operation history of other users with respect to the displayed article (paragraphs [0019] and [0034]);

calculating an influence degree of the article on sales of the goods based on the operation history (paragraph [0035], lines; and

generating and managing a point to be an incentive for purchasing goods for each contributor, based on the influence degree (paragraphs [0017], and [0099], lines 12-14),

wherein the point is generated based on the operation history of other users with respect to the contributed article (paragraph [0085]).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 5-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura in view of Chua (2003/0014311).

With respect to claims 5 and 6, Nakamura teaches all elements of claims 1, 2, 3 and 4, except a system further comprising a goods information collecting system

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wherein the contribution right providing part further comprises a user information managing part for storing a purchase record of the user and the contribution right is given only to the user who has a purchase record of goods targeted for contribution. Chua teaches a system comprising wherein the contribution right providing (paragraph [0004]) part further comprising a user information managing part for storing a purchase record of the storing a purchase record further comprising a news site, on the internet (paragraph [0001] and paragraph [0044]) of the user and the contribution is given one to the user who has a purchase record of goods (read books) targeted for contribution. It would have been obvious one of the ordinary skill in the art to have modified Nakamura's invention by adding Chua teaching method in order to learn more by using the product and to share his or her experience with others.

With respect to claims 7, 8, 9,10, and 11, Nakamura teaches all elements of claims 1, 2,3, 4, 5 and 6 except a system further comprising a goods information collecting system, wherein the influence degree is calculated based on a purchase number or a purchase amount obtained when users other than a contributor of an article on particular goods access information on the particular goods based on the article and purchase the particular goods. Chua teaches, a system further comprising a goods information collecting system, wherein the influence degree is calculated based on a purchase number or a purchase amount obtained when users other than a contributor of an article on particular goods access information (paragraph (0045]) on the particular goods based on the article and purchase the particular goods (paragraph [0020]). It would have been obvious one of the ordinary skill in the art to have modified

Nakamura's invention by adding Chua teaching method in order to evaluate the contributed content effect on productivity.

With respect to claims 12, 13, 14, 15 and 16, Nakamura teaches all elements of claims 1, 2, 3, 7, and 10 except a system further a goods information collecting system, wherein the influence degree is calculated as a ratio of a purchase number or a purchase amount obtained (Fig. 2, 6 and 7) when users other than a contributor of an article on particular goods access information on the particular goods based on the article and purchase the particular goods (paragraph [0017]), with respect to a sold number or a sold amount of the particular goods in a predetermined period . Chua teaches a system further a goods information collecting system, wherein the influence degree is calculated as a ratio of a purchase number or a purchase amount obtained (paragraph [0070] when users other than a contributor of an article on particular goods access information on the particular goods based on the article and purchase the particular goods (paragraph [0052]), with respect to a sold number or a sold amount of the particular goods in a predetermined period (paragraph [0059] and [0061). It would have been obvious one of the ordinary skill in the art to have modified Nakamura's invention by adding Chua teaching method in order to evaluate the product and to increase productivity.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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1. U.S Patent Number 6,275,811 to Ginn teaches System and method of authentication and acknowledging for each user among a group of users, that user's behavior is a positive contribution.
2. U.S Patent Application Number 2002/0022995 to Miller et al. teaches a system, method and article of manufacture are provided for presenting product information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Dagnew whose telephone number is (571) 270-3271. The examiner can normally be reached on Monday-Friday, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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June 25, 2007


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